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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/710,614	07/23/2004	Glenn R. Meyers	mediaplayer	4613
23217	7590	02/25/2008		
GLENN L. WEBB GLENN L. WEBB P.C. P.O BOX 951 CONIFER, CO 80433			EXAMINER PHAM, LINH K	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 02/25/2008	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/710,614	<b>Applicant(s)</b> MEYERS ET AL.	
	<b>Examiner</b> LINH K. PHAM	<b>Art Unit</b> 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 November 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 November 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. This communication is responsive to the Amendment, filed 10/24/2007.
2. Claims 1-30 are pending in this application. Claims 2 and 4 are canceled. Claims 1, 3, 8, 11, and 21 are amended. Claims 1, 11, and 21 are independent claims. **This action is made Final.**
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

### *Priority*

4. This application discloses and claims only subject matter disclosed in prior Application No. 60/481,129, filed July 23, 2003, and names an inventor or inventors named in the prior application. Accordingly, this application may constitute a continuation or division. Should applicant desire to obtain the benefit of the filing date of the prior application, attention is directed to 35 U.S.C. 120 and 37 CFR 1.78.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

7. **Claims 1, 3, 6-9, 11-14, 16-19, 21-24 and 26-29 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Lawande et al. ("Lawande", US 6,934,740) in view of Jain et al. ("Jain", U.S. 6,144,375).

**Regarding to claim 1**, Lawande teaches a media player comprises:

a graphical user interface (*Fig. 13; display page 700 contains graphic user interfaces*);

a first host for providing indexed media communication (*cols. 27:28, lines 42-67:1-12*);

a first window on said graphical user interface presenting an Indexed media communication from the first set window (*col. 39. lines 32-53; Fig. 13, window 700 is known as a first window*);

a second host for presenting a second media communication (*col. 47, lines 23-63; Fig. 19; a second media communication as a calendar*);

a second window on said graphic user interface for presenting a second media communication from said second host (*cols. 47-48; lines 23-67:1-13; Figs. 19 and 20*);

a synchronization component for synchronizing said second media

communication in said second window with said first media communication in said first window (*cols. 7-63; Figs. 16 and 17; synchronizing media communications between two host*); and

a third window providing an interactive component (*Figs. 6 and 7; user can rotate a knob 322 for changing a channel*) for allowing communication between a host presenting said media communication and a user of said graphical user interface (*cols. 4:45, lines 21-67:1-41; Figs. 15 and 16*).

Lawande teaches all limitation as recited above, but does not explicitly disclose the steps of an indexable menu selection to allow a user to select a desired segment of a media communications; a retrieval mechanism for retrieving a selected segment for presentation in said first window.

However, Jain teaches an indexable menu selection to allow a user to select a desired segment of a media communications (*col. 7, lines 20-28, Fig. 7, user input button area 404, model navigation area 408, time code viewing area 416, camera angle control area 418, time-line display and indexing area 422*), and a retrieval mechanism for retrieving a selected segment for presentation in said first window (*col. 6, lines 45-51; and col. 30, lines 24-26; and Fig. 7, retrieving a selected segment for presentation in said window 402, 406, or 412*).

Therefore, it would have been an artisan at the time invention was made to combine the teachings of Jain with the media player of Lawande in order to provide users a means to increase significance of the program that allows a user to retrieve and display document from web site.

**Regarding claim 3**, Jain further teaches the media player wherein said media player further includes:

a plurality of windows on said graphical user interface for presenting a plural media communications (*col. 22, lines 13-14 and 16-28; and Fig. 7*);

Lawande further teaches the step of a synchronization component that synchronizes the media communications in each of said windows with the media communications in said first window (*cols. 7-63; Figs. 16 and 17; synchronizing media communications between two host*).

**Regarding claim 6**, Lawande further teaches the media player wherein said media player further includes:

a remote database (*col.7, lines 3-40*); and

a component for retrieving information from said remote database on cue with the presentation of the media communication in said first window (*col. 7, lines 3- 65*).

**Regarding claim 7**, Jain further teaches the media player wherein said graphical user interface is displayed on a browser (*col. 16, lines 20-24; and col. 21, lines 47-52*).

**Regarding claim 8**, Jain further teaches the media player wherein said media player further includes:

an audio-video format media communication presented in said first window (*col. 22, lines 16-19 and lines 43-45*);

a text-graphic format communication in said second window (*col. 28, lines 29-31*);

Lawande further teaches a synchronization component for synchronizing the

information presenting in said second window with the media communication presented in said first window (*cols. 7-63; Figs. 16 and 17; synchronizing media communications between two host*).

**Regarding claim 9**, Jain further teaches the media player of claim 1 wherein said media player further includes:

the media communication presented in said first window is in an audio-video format (*col. 22, lines 16-19 and lines 43-45*);

a second window presenting graphic format (*col. 28, lines 29-31*).

Lawande teaches the steps of a synchronization component for synchronizing the information presenting in said second window with the media communication presented in said first window (*cols. 7-63; Figs. 16 and 17; synchronizing media communications between two host*); and an interactive component for allowing a user to provide information to a host supplying said media communication (*cols. 4:45, lines 21-67:1-41; Figs. 15 and 16*).

**Claim 11** is similar limitations found in claims 1 and 2, and is rejected under similar rationale.

**Claim 12** is similar limitation found in claim 1, and is rejected under similar rationale.

**Claim 13** is similar limitation found in claim 1, and is rejected under similar rationale.

**Claims 14 and 16-19** are similar limitation found in claims 4, and 6-9, and are rejected under similar rationale.

**Claim 21** is similar limitation found in claims 1 and 4, and is rejected under similar rationale.

**Claim 22** is similar limitation found in claim 2, and is rejected under similar rationale.

**Claim 23** is similar limitation found in claim 1, and is rejected under similar rationale.

**Claim 24** is similar limitation found in claims 3 and 2, and is rejected under similar rationale.

**Claims 26-29** are similar limitation found in claims 6-9, and are therefore rejected under similar rationale.

8. **Claims 5, 10,15, 20, 25, and 30 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Lawande et al. ("Lawande", US. 6,934,740) in view of Jain et al. ("Jain", US. 6,144,375), and further in view of Gupta et al, ("Gupta", US. 6,622,171).

**Regarding claim 5**, Lawande and Jain teach all the limitations as recited in claim 1, but do not explicitly disclose the step of wherein said media player further includes: an interactive component for allowing communication between multiple users of said media player.

However Gupta teaches the step of wherein an interactive component for allowing communication between multiple users of said media player (*col. 3, lines 6-22*;



*Fig. 11).*

Therefore, it would have been an artisan at the time invention was made to combine the teachings of Gupta with the media player of Lawande and Jain in order to provide over a network to a client computer on a real time (*col. 1, lines 33-39*).

**Regarding claim 10**, Jain further teaches the media player wherein said player further includes:

the media communication presented in said first window is in an audio-video format (*col. 22, lines 16-19 and lines 43-45*);

a second window presenting information in a text-graphic format (*col. 28, lines 29-31*);

Lawande teaches the steps of a synchronization component for synchronizing the information presenting in said second window with the media communication presented in said first window (*cols. 7-63; Figs. 16 and 17; synchronizing media communications between two host*); an interactive component for allowing a user to provide information to a host supplying said media communication (*cols. 4:45, lines 21-67:1-41; Figs. 15 and 16*).

Jain and Lawande teach all limitation as recited above, but do not disclose the step of an interactive component for allowing a user to provide and receive information with other users of said media player (*col. 32, lines 2-6*).

*However, Gupta teaches the step of an interactive component for allowing a user to provide and receive information with other users of said media player (cols. 7:8, lines 38-67:1-49; Fig. 3).*

Therefore, it would have been an artisan at the time invention was made to combine the teachings of Gupta with the media player of Lawande and Jain in order to provide over a network to a client computer on a real time (*col. 1, lines 33-39*).

**Claim 15** is similar limitation found in claim 5, and is rejected under similar rationale.

**Claim 20** is similar limitation found in claim 10, and is rejected under similar rationale.

**Claim 25** is similar limitation found in claim 5, and is rejected under similar rationale.

**Claim 30** is similar limitation found in claim 10, and is rejected under similar rationale.

### ***Response to Amendment***

9. Applicant's arguments with respect to claims 1, 11 and 21 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

10. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Inquiries***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Linh K. Pham whose telephone number is (571) 270-3230. The examiner can normally be reached on Monday to Thursday from 7:30AM to 5:00PM (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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February, 14, 2008

/Linh K Pham/

Examiner, Art Unit 2174

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174